



S/N 10/761,814

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Henry et al.	Examiner:	To Be Assigned
Serial No.:	10/761,814	Group Art Unit:	3749
Filed:	January 21, 2004	Docket No.:	12929.5006USC1
Customer No.	23552	Confirmation No.:	1001
Title:	Wood Burning Stove having Pivoting Baffle and Method		

**CERTIFICATE UNDER 37 CFR 1.10:**

"Express Mail" mailing label number: EV 408492488 US

Date of Deposit: October 27, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: David J. Ortiz

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent application serial no. 09/809,627, now issued U.S. Patent No. 6,688,302 B2, issued February 19, 2004.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a


reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

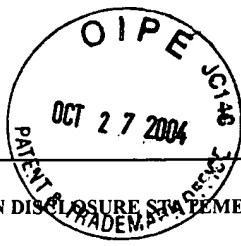
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: October 27, 2004

  
Name: Robert A. Kalinsky  
Reg. No.: 50,471  
RAK:pll



<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 12929.5006USC1	Application Number: 10/761,814
	Applicant: Henry et al.	Confirmation No.: 1001
	Filing Date: January 21, 2004	Group Art Unit: 3749

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	617,805	01/1899	Burns			
	835,915	11/1906	Pruitt			
	4,154,212	05/1979	Wilkinson, Judkins E.			
	4,319,556	03/1982	Schwartz et al.			
	4,338,913	07/13/1982	Good			
	4,432,335	02/1984	Kilham, Peter			
	4,458,662	07/1984	Barnett, Stockton G.			
	4,466,419	08/21/1984	Syme			
	4,499,889	02/19/1985	Syme			
	4,510,917	04/1985	Runquist, Paul			
	4,580,546	04/1986	Barnett, Stockton G.			
	4,582,045	04/1986	Dorau et al.			
	4,665,889	05/1987	Rumens et al.			
	4,766,876	08/30/1988	Henry et al.			
	5,050,579	09/1991	Melton et al.			
	5,113,843	05/19/1992	Henry et al.			
	5,341,794	08/30/1994	Henry et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	